

EXECUTIVE OFFICERS SUMMARY REPORT
9:00 a.m, February 27, 2003
River Lodge Conference Center
1800 Riverwalk Drive
Fortuna, California

ITEM: 17

SUBJECT: Consideration of the Issuance of Waste Discharge Requirements For Timber Harvesting Operations in the Freshwater Creek Watershed by the Pacific Lumber Company

The Pacific Lumber Company, the Scotia Pacific Company LLC, and Salmon Creek Corporation, all subsidiaries of MAXXAM, Inc., together own 15,400 acres (77%) of the 19,892 acre Freshwater Creek watershed. The Discharger conducts timber harvesting, forestry management, road construction and maintenance, and related activities on the lands within the Freshwater Creek watershed within its ownership. Freshwater Creek, which is tributary to Humboldt Bay, is located east of Eureka. Freshwater Creek is listed as sediment impaired under Section 303(d) of the federal Clean Water Act.

Evidence in our files supports the conclusion that timber operations in this watershed have resulted in significant discharges of earthen materials that have adversely affected downstream beneficial uses including drinking water supplies and fisheries, contribute to nuisance flooding conditions, and that proposed and continuing operations will continue to do so.

On December 19, 2002, the Executive Officer requested the Discharger submit a Report of Waste Discharge (ROWD) for wet weather operations within the Elk River watershed. On January 16, 2003, the Discharger submitted a ROWD. The ROWD encompasses four timber harvest plans (THPs) that drain to Freshwater Creek or tributaries to Freshwater Creek. These four THPs represent approximately 238 acres of timber harvest with the majority utilizing evenage management. Other timber harvesting activities in the watershed are covered by pre-existing waivers of waste discharge requirements which were adopted on December 10, 2002 or on January 24, 2003.

PRELIMINARY STAFF

RECOMMENDATION: Adoption of Waste Discharge Requirements as proposed.